

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
NORTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

Case Number 06-13640-BC
Honorable Thomas L. Ludington

EARL K. SAGEMAN, a/k/a EARL K.
SAGEMAN, Jr., a/k/a EARL SAGEMAN,
EARL KENNETH SAGEMAN, Jr., d/b/a
SAGEMAN FARMS,

Defendant.

_____ /

ORDER DENYING MOTION FOR RECONSIDERATION

This matter is before the Court on two submissions filed by the defendant. In the first, he objects to the Court's order denying various motions. In the second, he purports to place the Court on notice of certain constitutional requirements. The Court will construe the defendant's submissions as a motion for reconsideration.

The Court will grant a motion for reconsideration if the moving party shows: (1) a "palpable defect," (2) that misled the Court and the parties, and (3) that correcting the defect will result in a different disposition of the case. E.D. Mich. LR 7.1(g)(3). A "palpable defect" is a defect which is obvious, clear, unmistakable, manifest, or plain. *Fleck v. Titan Tire Corp.*, 177 F. Supp. 2d 605, 624 (E.D. Mich. 2001). Furthermore, the Local Rules provide that any "motion for rehearing or reconsideration which merely present the same issues ruled upon by the Court, either expressly or by reasonable implication, shall not be granted." E.D. Mich. LR 7.1(g)(3).

The plaintiff merely repeats the same arguments he has advanced throughout this entire litigation. At each stage, those arguments were found to be without merit, and the Court will not

repeat them here. As a result, the plaintiff can demonstrate no palpable defect in the Court's previous orders. Therefore, the Court will deny the plaintiff's motion for reconsideration.

Accordingly, it is **ORDERED** that the plaintiff's objections and notice of constitutional requirements [dkt #s 57, 58], construed as a motion for reconsideration, are **DENIED**.

s/Thomas L. Ludington
THOMAS L. LUDINGTON
United States District Judge

Dated: July 31, 2007

PROOF OF SERVICE

The undersigned certifies that a copy of the foregoing order was served upon each attorney or party of record herein by electronic means or first class U.S. mail on July 31, 2007.

s/Tracy A. Jacobs
TRACY A. JACOBS